

Sec. 4-26. Barking dogs to be controlled; citizen cooperation; direction by a law enforcement officer.

(a) It shall be unlawful for any owner of a dog to keep a dog without exercising proper care and control of such dog to prevent it from disturbing the peace of others by unprovoked barking in a continuous or untimely manner, after the owner has been notified of such disturbance. Owners of dogs shall be responsible for exercising control of such dog under this section.

(b) For the purpose of this section, a continuous manner shall be deemed a dog barking for an uninterrupted period of thirty (30) minutes.

(c) For the purpose of this section, an untimely manner shall be deemed between the hours of 11:00 pm and 7:00 am.

(d) Citizens affected by a barking dog are requested to contact the dog's owner, prior to contacting the town to attempt to resolve differences and objections with the owner of the barking dog.

(e) A law enforcement officer may direct the owner of a dog found barking in a loud, continuous or untimely manner to exercise proper control and care of such dog to prevent it from barking in such manner. A law enforcement officer assigned to investigate a violation of this section shall record all initial violations through the use of a compliance notice. Any subsequent violations that occur twenty-four (24) hours after a compliance notice is issued will cause a law enforcement officer on behalf of the town to institute a criminal or civil proceeding against any person he finds in violation of this section.

(f) Citizens may institute their own criminal or civil proceeding to resolve a barking dog problem. (Ord. of 6-18-92; Ord. of 9-8-92)

Comment [MSOffice1]: A longer time frame can be utilized, but 30 minutes of continuous barking seems to be a reasonable threshold in my opinion.

Comment [MSOffice2]: This time period is a reference to Sec. 11-5 which deals with noise generated by yelling or shouting. There are other sections that deal with construction noise, but this seems more applicable to me.